

DEPARTMENT OF HEALTH PROFESSIONS - DIRECTIVES

DIRECTIVE NO.: 4.4

EFFECTIVE: _____

SUPERSEDE: _____

APPROVAL: _____

4.4 Requesting Information from The National Practitioner Data Bank

Purpose: The purpose of this directive is to establish policy and procedures for requesting information on a licensee from the National Practitioner Data Bank, established by Title IV of Public Law 99-660, the Health Care Quality Improvement Act of 1986. The Act allows the release of Data Bank information to state licensing boards.

Policy: All requests for information from the Data Bank will be made by and through the Enforcement Division.

Procedure: The following procedures will be used for requesting licensee information from the Data Bank.

I. Board requesting information shall provide the following information to the Enforcement Division.

- A.** Practitioner's full name
- B.** Other name(s) used, if applicable
- C.** Practitioner's private practice address or name and address of practitioner's organization (e.g. hospital)
- D.** Practitioner's home address, if known
- E.** License number
- F.** State of licensure
- G.** Fields of licensure
- H.** Date of birth
- I.** Social security number, if known and obtained in accordance with Section 7 of the Privacy Act of 1974.
- J.** Federal D.E.A. number(s), if known
- K.** Professional school attended, if known
- L.** Year of graduation, if known

II. The Probation and Enforcement Division will:

- A.** Complete "Request for Information Disclosure" form and "Request for Information Disclosure - Supplement" form if applicable.

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- B.** Transmit original to Data Bank.
- C.** Retain a copy for department record.
- D.** Maintain a log of each inquiry made.

NOTE: The Director, Senior Deputy Director, and Deputy Director of Enforcement are authorized to complete and sign Sections C or D of the "Request for Information Disclosure" form.

III. Upon receipt of requested information from the Data Bank, the Enforcement Division will:

- A.** Log receipt of data. The log will include:
 - 1.** Licensee's name
 - 2.** Board, occupation and license number, if known
 - 3.** Date request received from Board
 - 4.** Date inquiry transmitted to data bank
 - 5.** Date inquiry received from data bank
 - 6.** Date inquiry forwarded to Board
- B.** Review data received.
- C.** Transmit data to requesting Board.
- D.** Evaluate the report for possible investigation

IV. Confidentiality of National Practitioner Data Bank Information, Custody

- A.** Any information received from the data bank is available upon request as long as it is not docketed as a complaint and placed in an ongoing open investigative/disciplinary file. Once the case is closed, it is available pursuant to Section 2.1-342, Freedom of Information Act, except for cases pursuant to Sections 54.1-2708, 54.1-2910 and 54.1-3612 whether they are opened or closed.

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- B.** Upon completion of Enforcement Division action all documents originating from the NPDB shall be transferred to the corresponding board executive for records management purposes.

V. Fees for Disclosures of Data Bank Information

There will be a fee for each request for information from the data bank. The fee will reflect the costs of processing requests for disclosure and of providing such information. The fee incurred will be charged to the appropriate cost center.

The following procedures will be used for processing all fees.

- A.** The bill from the data bank, shall be forwarded to the Probation and Enforcement Division for assignment of portions among cost centers.
- B.** The Probation and Enforcement Division will:
 - 1.** Review bill for accuracy
 - 2.** Indicate cost center code for each request
 - 3.** Forward bill to finance for processing